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8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2013-461

13 **AMY LYNN PALMER**  
14 **aka AMY LYNN ROLETER**  
15 **aka AMY LYNN KLEIN**  
16 **10523 Fair Oaks Blvd, #215**  
17 **Fair Oaks, CA 95628**

**A C C U S A T I O N**

18 **Registered Nurse License No. 624130**

19 Respondent.

20 Louise R. Bailey, M.Ed., RN ("Complainant") alleges:

21 **PARTIES**

22 1. Complainant brings this Accusation solely in her official capacity as the Executive  
23 Officer of the Board of Registered Nursing ("Board"), Department of Consumer Affairs.

24 2. On or about August 13, 2003, the Board issued Registered Nurse License Number  
25 624130 to Amy Lynn Palmer, also known as Amy Lynn Roleter and Amy Lynn Klein  
26 ("Respondent"). The license was in full force and effect at all times relevant to the charges  
brought herein. The license expired on September 30, 2008, and has not been renewed.

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1 **JURISDICTION**

2 3. Business and Professions Code ("Code") section 2750 provides, in pertinent part, that  
3 the Board may discipline any licensee, including a licensee holding a temporary or an inactive  
4 license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing  
5 Practice Act.

6 4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not  
7 deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or  
8 to render a decision imposing discipline on the license. Under Code section 2811(b), the Board  
9 may renew an expired license at any time within eight years after the expiration.

10 **STATUTORY PROVISIONS**

11 5. Code section 2761 states, in pertinent part:

12 The board may take disciplinary action against a certified or licensed nurse or  
13 deny an application for a certificate or license for the following:

14 (a) Unprofessional conduct.

15 (4). Denial of licensure, revocation, suspension, restriction, or any other  
16 disciplinary action against a health care professional license or certificate by another  
17 state or territory of the United States, by any other government agency, or by another  
California health care professional licensing board. A certified copy of the decision  
or judgment shall be conclusive evidence of that action.

18 **COST RECOVERY**

19 6. Code section 125.3 provides, in pertinent part, that the Board may request the  
20 administrative law judge to direct a licentiate found to have committed a violation or violations of  
21 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
22 enforcement of the case.

23 **FIRST CAUSE FOR DISCIPLINE**

24 **(Out-of-State Discipline)**

25 7. Respondent is subject to discipline under Code section 2761(a)(4), in that effective  
26 August 23, 2010, in a disciplinary proceeding titled, *In the Matter of Amy Lynn Palmer, RN,*  
27 *License No. 200141558RN, Case No. 10-062,* the Oregon State Board of Nursing issued a Final  
28 Order by Default ("Order") wherein Respondent's registered nurse license number 200141558RN

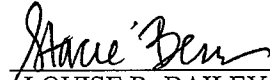
1 was suspended for a minimum of two (2) weeks, and remained suspended until Respondent fully  
2 cooperated with the Board's investigation, in that Respondent failed to provide the Board with an  
3 acceptable Chemical Dependency Evaluation, including a 12-panel drug screen with an ethyl  
4 glucuronide screening. The Order is attached hereto as **Exhibit A** and incorporated herein by  
5 reference.

6 **PRAYER**

7 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein alleged,  
8 and that following the hearing, the Board of Registered Nursing issue a decision:

- 9 1. Revoking or suspending Registered Nurse License Number 624130, issued to Amy  
10 Lynn Palmer, also known as Amy Lynn Roleter and Amy Lynn Klein;  
11 2. Ordering Amy Lynn Palmer, also known as Amy Lynn Roleter and Amy Lynn Klein,  
12 to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement  
13 of this case, pursuant to Code section 125.3; and,  
14 3. Taking such other and further action as deemed necessary and proper.

15 DATED: DECEMBER 8, 2012

*for*   
LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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EXHIBIT A

*"Final Order by Default" in the Matter of Amy Lynn Palmer, RN, License No.*  
200141558RN, Oregon State Board of Nursing Case No. 200141558RN

**BEFORE THE BOARD OF NURSING  
OF THE STATE OF OREGON**

In the Matter of

Amy Lynn Palmer, RN

License No. 200141558RN

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**FINAL ORDER  
BY DEFAULT**

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Case No. 10-062

The Oregon State Board of Nursing (Board) is the state agency responsible for licensing, regulating and disciplining certain health care providers, including Registered Nurses in the State of Oregon. Amy Lynn Palmer (Licensee) is a Registered Nurse in the State of Oregon.

This Matter was considered by the Oregon State Board of Nursing at a regular meeting in Portland, Oregon on August 18, 2010. The Licensee did not appear personally.

On June 22, 2010, a Notice stating that the Board intended to suspend Licensee's registered nurse license was sent to Licensee by certified mail to her address of record. This Notice alleged that Licensee failed cooperate with the Board during the course of an investigation.

The Notice further granted to Licensee an opportunity for hearing, if requested within 20 days of the mailing of the Notice. No such request for hearing has been received by the Board. The Notice designated the Board's file on this matter as the record for purposes of default.

-I-

**FINDINGS OF FACT**

Based on the evidence submitted through the Notice and the agency file in this case, the Board finds the following:

- 1.1 Licensee is a registered nurse in the State of Oregon and has been since August 6, 2001.
- 1.2 On February 11, 2010, an Order for a Chemical Dependency Evaluation was mailed to Licensee's address of record, requiring her to obtain a chemical dependency evaluation within 30 days of the date of the Order. The Order required that the evaluation include a 12-panel drug screen along with an ethyl glucuronide (EtG) screening.
- 1.3 Licensee completed the evaluation within the allotted time period, but she failed to provide an acceptable urinalysis for drug screen testing.
- 1.4 On June 22, 2010, a Notice of Proposed Suspension of Registered Nurse License was sent by certified mail to Licensee's address of record.

- 1.6 Licensee did not request a hearing within the allotted 20 days and is thereby in default.

-II-

**CONCLUSIONS OF LAW**

Based on the foregoing Findings of fact, the Board makes the following Conclusions of Law:

- 2.1 That the Board has jurisdiction over Licensee, Amy Lynn Palmer, and over the subject matter of this proceeding.

- 2.2 That Licensee's failure to provide an acceptable urinalysis for drug screen testing per a Board Order constitutes a failure to cooperate with the Board during the course of an investigation and is grounds for disciplinary action pursuant to ORS 678.111 (1) (f) and OAR 851-045-0070 (7) (c).

- 2.3 That Licensee defaulted on the Notice by not requesting a hearing within the allotted 20 days and as a result, pursuant to ORS 183.310 to 183.550, the Board may enter a Final Order by default.

-III-

**ORDER**

Based on the foregoing Findings of Fact, Conclusions of Law, and the Board being fully advised in the premises, it is hereby:

**ORDERED** that Amy Lynn Palmer's registered nurse license in the State of Oregon is suspended.

The suspension shall be for a minimum of two (2) weeks and remain in effect until such time that Ms. Palmer has fully cooperated with the Board's investigation.

The suspension will commence five (5) calendar days from the date the Board order is signed.

Dated this 18 day of August 2010.

For the Board of Nursing of the State of Oregon by:

*Patricia Markesino RN*

Patricia Markesino, RN

Board President

To Licensee:

You may file a petition for reconsideration or rehearing of this Order. Reconsideration or rehearing may be obtained by filing a petition with the Board of Nursing within 60 days from the service of this Order. Your petition shall set forth the specific grounds for reconsideration. Reconsideration or rehearing is pursuant to the provisions in ORS 183.482.

As an alternative to filing a Petition for Reconsideration of the Order, you are entitled to judicial review of this Order. Judicial review may be obtained by filing a Petition with the Oregon Court of Appeals for review within 60 days from the service of this Order. Judicial review is pursuant to the provisions of ORS 183.482 to the Oregon Court of Appeals.